

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

FROM: [REDACTED]
TO: Associate Warden of Programs
SUBJECT: ***Request to Staff*** F [REDACTED], R [REDACTED], Reg# [REDACTED], DUB-F-A
DATE: 12/15/2023 02:58:23 PM

To: AW Deveney
Inmate Work Assignment: yard

Sir,

I can't believe what I just saw about an hour ago. It is a new low for Dublin. Since when do you guys walk suicide victims out of the suicide watch area, barefoot, still in the turtle suit, with no underwear, denying this victim her right to privacy?

At least 100 inmates watched this woman that just tried to kill herself being paraded through the compound--barefoot.

I have been incarcerated for almost 2 decades at numerous federal prisons. I have never seen any Captain or Warden allow such conduct. That woman has a right to privacy. Many of us did not know who was on suicide watch or had tried to kill themselves.

We know now because of what we witnessed.

I am appalled. What I witnessed was disgusting and sickening. At a minimum, whoever wanted to see her should have went to her or she should have been put in some clothing.

Do BOP employees see us a humans or merely like cattle?

I have reported this to my family and asked them to contact the USAO. BOP policy does not allow that kind of behavior.

R. F [REDACTED]

Abuse of suicide victim

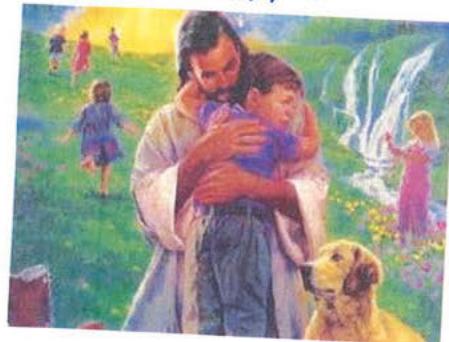
Kara - letter from my pastor mentioning how long my mail takes to get to him?

Pastor Jeff L. Gay

PO Box 1032
Blue Springs, MO 64013-1032

I received this letter - weeks after it was mail.

(27)



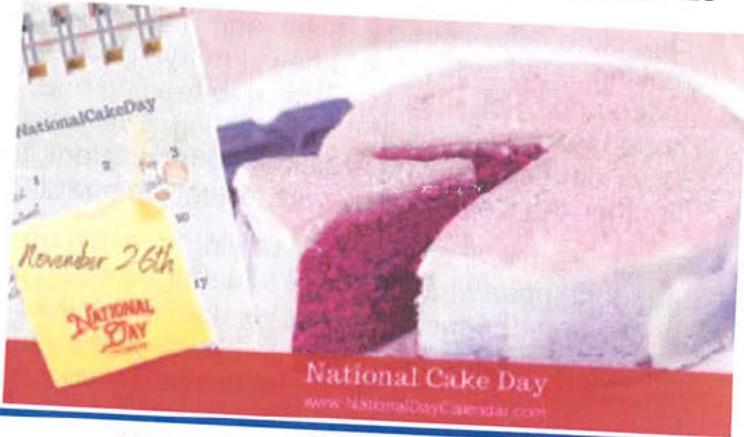
22 Nov 23

Dear R [REDACTED],

Happy National Cake Day (November 26). This month, we celebrate the wonderful world of cakes. I hardly ever make cakes because I love them so much. In my younger days, I could practically live on cake. There are so many wonderful possibilities. One of my favorites (of many) is a three-layer yellow cake with lemon-lime filling between the layers, frosted with whipped cream with coconut all over the outside. I assure you, they will have this cake on the menu in Heaven!

I was happy to see your letter in the mail. I am sad to report that Mother passed away on Nov. 14. More details in the Christmas card going out in a few days. I fear my letters will be a bit less interesting as I realize how much she was a part of all our lives. Of course, I was pretty busy taking care of her in her last couple of weeks, and there have been many details to deal with in the aftermath. I received your letter almost a month after you mailed it. Though it was short, I appreciate you letting me know you enjoyed "Hope Deferred," it had an impact, and that you are sharing it. It is a good teaching. I let the author have a copy of your letter, and he appreciated hearing that his work is touching lives. It's probably a good thing I have plenty to keep me busy for some time, both ministry and personal. Praying you have a wonderful holiday season. I am doing great, everything considered. I look forward to hearing from you.

I met my brother for lunch a few days after Mother's death. We went to her favorite steak house and had a lovely meal. It was one of the best steak dinners I have ever had. The steak was tender and juicy and cooked perfectly (very rare). I had a salad and



NATIONAL CAKE DAY

On November 26th, National Cake Day delivers a scrumptious treat for everyone to enjoy! Slide over pie, this day cake takes center stage as the dessert of choice. On most birthdays, the cake is topped with candles no matter their age. Showers, weddings, retirements and anniversaries, cake serves up a slice or two. Add ice cream, and you have America's top favorite desserts in the same dish!

Whether it's a shapely bundt cake (celebrated on November 15) or the less curvaceous sheet cake, these sweet layered, frosting-covered, or fondant-decorated works of art scream celebration! Made from scratch, a box or picked up from the bakery, a cake sends a sweet message. They also come in many combinations and flavors, too.

No one can know how many. There are countless cake recipes. Some are even bread-like, others rich and elaborate, and many still are centuries old. Of Viking origin, the word cake is derived from Old Norse "kaka." At that time, a cake's texture was more like gingerbread due to the availability of refined ingredients.

Cakes typically contain a combination of flour, sugar, eggs, and butter or oil. Additionally, some variety of liquid, such as milk or water, creates a batter. A leavening agent such as yeast or baking powder helps the cake rise. Flavorful ingredients are often added, for example, chopped nuts, fresh, candied or dried fruit, fruit purees, or extracts. Though we commonly think of cake with frosting or icing, many cakes can be enjoyed with just fruit or other toppings.

PIX-0192

baked potato. It was just delicious.

I have been quite busy this last week—a lot of paperwork to take care of. I have much of it done, but there are still a couple more items to take care of next week. I have been working on cleaning the house as it has not been cleaned well in a couple of years. It is slow going as I try to work in all the ministry projects for the holiday season. The Christmas cards will be going out the day after Thanksgiving. The Christmas gifts will, hopefully, be in the mail on Dec. 7.

I have been doing a lot of baking. It seems almost every day. It is my therapy, and I do enjoy it very much. I've made chocolate chip, oatmeal raisin, and Snickerdoodle cookies. I'm making salad today. Right now, I'm trying to clean out the fridge and freezer as I downsize to feeding one. Next year, I hope to start doing some entertaining. Everyone on our driveway (four households) is sick or suffering from one thing or another. As we get older, we start falling apart!

As we move into fall, I was trying to catch up on some outside work to prepare for winter. I didn't get done near what I wanted to. I started cleaning the garage and found out that I had over 500 books donated for the ministry's use, so I think I will use them for birthday presents next year. A couple of months ago, I stumbled across a manuscript I didn't even remember having. I tracked down the author, and he permitted me to work it up into a book, which is now done and approved. It is about evangelism, and I think everyone will enjoy it (and, hopefully, do it).

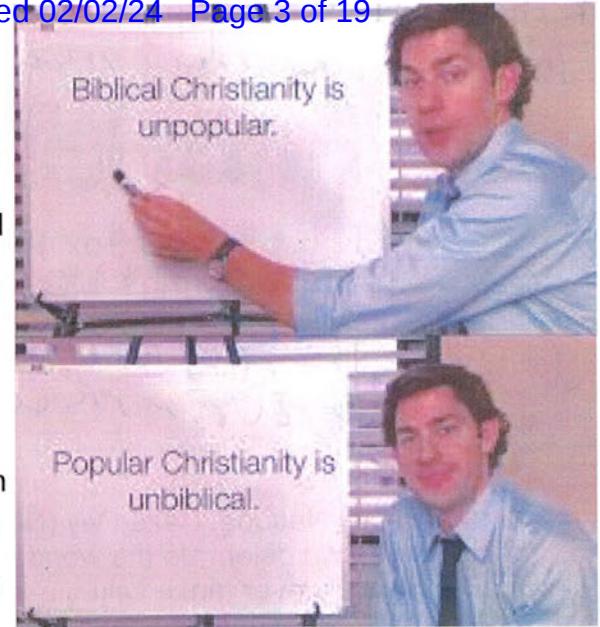
I am starting another book and hope that it goes quickly. It deals with discouragement, disappointment, despair, and depression (The Four D's). I also have completed a document on higher education for prisoners, which will be in your hands later this year. I believe it will help many of our friends.

We didn't have any Thanksgiving plans due to Mother's illnesses. My brother's wife ordered us dinner from the local grocery store, and we were going to have a quiet dinner here at home. It appears that I will be celebrating alone this year. I have had several people offer invitations, but I am enjoying my solitude at present. I will probably spend Christmas with relatives in Springfield, I hope.

It appears that the ministry will finish the year strong. We are in good shape on paper, toner, and postage. These three items comprise about 70% of our budget. That is my Thanksgiving praise! I did have to put one of the printers in the shop as one of the replaceable parts was going bad. So, I got the spare one out and took the broken one to the shop. That will probably use up the cash reserve, but we are still in good shape on paper and postage. The toner supplies are low but still satisfactory, as most of the printing is done.

The Cadillac broke down (overheated), and I feared it was done for as it is 30 years old. I got it towed to the shop, came home, and found the Oldsmobile wouldn't start. Turns out it was a bad battery. I replaced it, and it started. Then I found out the headlights weren't working. I haven't solved that problem yet. I checked up on the Caddy, and the mechanic found that the lower radiator hose clamp was so rusted that it had failed. So, I was fortunate to get it fixed for only \$200. I picked it up, and it's running perfectly. I will have to get the front bumper fixed as it is sagging on one side, almost like it had a stroke!

My health is doing pretty well. With Mother gone, I can just get out and walk without limitations. How-



WHO WOULD WIN?

The combined sin of all of mankind that has ever or will ever live and the very forces of Hell and death itself



A Jewish carpenter



TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

FROM: [REDACTED]
TO: Warden
SUBJECT: ***Request to Staff*** F [REDACTED], [REDACTED], Reg# [REDACTED], DUB-F-A
DATE: 12/13/2023 12:47:22 PM

To: AW Deveney
Inmate Work Assignment: yard

Sir,

when it rains it pours. Ms. Groover is under investigation for her involvement in sanctioning me with a housing unit transfer, although I had no incident report. Additionally, she was involved in placing a management variable on me and stopping my transfer to a prison camp, and I believe she had involvement in denying my transfer to home confinement. The worst of it was her telling several inmates I was "suicidal" and had a history of suicide attempts, which is false. It will be for OIA to decide these things, but it seems Ms. Groover can't stay out of my prison file.

Today, I had a talk with my counselor about documents I have under a protective order. Those documents need to be secured in a locker, larger than the box given to inmates. My counselor, Ms. Strake told me she would speak to the unit manager, Ms. Smith, and try to work out a solution.

Before this could be done, and although my full unit team is on duty, Ms. Groover did room moves and placed an inmate in my cell, without consulting my unit team.

I am no longer under the purview of Ms. Groover, and as things stand, she should not have any interaction with me. I do not understand her fixation with me, but I am reporting this misconduct to you. I would like Ms. Groover to leave me alone. When I see her, I go the opposite direction.

This is one of those fruit loop situations where a FBOP employees ends up hurting an inmate. I am asking for this staff member be instructed to stay out of my prison files. I have a full unit team who engages with me regularly. I don't like the outcome, but all 3 communicate professionally.

Thank You,

R [REDACTED] F [REDACTED]

Kara -
ongoing retaliation - I continue to
memorialize these matters.

RF

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

FROM: [REDACTED]

TO: Associate Warden of Programs

SUBJECT: ***Request to Staff*** F [REDACTED], R [REDACTED], Reg# [REDACTED], DUB-F-A

DATE: 12/04/2023 07:27:39 PM

To: AW Deveney

Inmate Work Assignment: yard

Sir,

→ UDC

I filed a grievance over a month ago on the Unit Disciplinary Committee's failure to follow the BOP rules and provide a copy of their decision.

I asked you about this grievance last week, but you said you had not seen it. Will FCI-Dublin comply with the 20-day response time?

I would also like to note that after I contact the U.S. Attorney's Office, the Inspector General, California Coalition for Women Prisoners and others about the denial of access to hygiene due to the closure of commissary, I was written this false disciplinary report and placed on commissary restriction. This was intentionally done, in retaliation, for reporting the abusive treatment women are suffering at this prison.

I will move on to the BP-10 step, if I am given a BP-10.

12/17/23

No response to
BP-9 on providing
UDC documents on
investigation, into
falsifying government
documents.

R. F [REDACTED], R [REDACTED] on 11/1/2023 8:23 AM wrote:

>

AW Deveney,

I believe you should have some knowledge about what is going on with the UDC officers.

raf

-----F [REDACTED], R [REDACTED] on 11/1/2023 8:22 AM wrote:

>

AW Nash,

The situation I wrote you about, below, has become bigger than just me. There is clearly fraudulent activity going on with the UDC officers.

Ms. Strake and Ms. Campos saw approximately 10 inmates yesterday. All 10 were served with the "Advisement" you approved. All of these documents state the DHA had to "rewrite" the incident reports. Oh, so there is a coincidence that all the people seen yesterday, with I/Rs, had rewrites?

As I stated below, when there are rewrites, that document has to be served and it must note is a rewrite. Not one inmate received a copy of the rewrite. Your signature would not have been needed, if the rewrite of the I/R had been served, in accordance with FBOP rules.

I am asking that all disciplinary sanctions against me and the other 9 or so inmates be taken off of our records, this week. I am a fair person. However, if this matter is not promptly taken care of, I will be forced to take this to U.S. Attorney Ismail Ramsey's office.

Violations of UDC/DHO regulations affects the futures of all inmates. We can lose FSA credits, denial of program transfers, and other wrongful sanctions. Due process protections are part of the regulations approved by the DOJ.

There is a lot of unlawful conduct, ongoing, at FCI-Dublin. I keep my head down unless it affects my life and my family. This incident harms me and my family.

PIX-019-5

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

Thank You,

R [REDACTED] F [REDACTED], R [REDACTED] [REDACTED] on 10/31/2023 12:47 PM wrote:

>

AW Nash,

for incident report #3840439, you signed the "advisement" allowing the UDC hearing after the 5 working day rule. The advisement was sent to you stating, "...DHA request a notice of delay memo due to re-writes..."

When there is a "re-write" the inmate is served with a copy, which resets the 5 working day rule, then an advisement is not necessary.

There was no rewrite. I was never served a rewrite, which would show up in the computer system.

I don't know who told you there was a "rewrite" which lead you to place your name or what is a false statement on a government document, but I would like this matter investigated.

I was not guilty of the allegations in the I/R. Making false allegations to obtain additional time outside of the rules of the FBOP is wrong, especially when the I/R was written in retaliation for cooperating with the FBI.

I will be forwarding this to DOJ-Sex Abuse Reporting and the SIS-LT. They can check the computer to verify one of two things:

1. There was a re-write that was not served, therefore, there should not have been any UDC hearing today; or,
2. There was no re-writing of the I/R, therefore, there should not have been any UDC hearing, because there is no viable reason in accordance with PS 5270.09, to authorize any extension.

As you told me, you have been in the system a long time. Me, too. I assume we both follow the rules and policies of the FBOP. I am aware that people lie to you, in both uniforms. I would like this I/R expunged from my record and documentation provided stating it has been.

Thank You,

R [REDACTED] F [REDACTED]



BP-A0304

DISCIPLINE HEARING OFFICER REPORT

IR#: 3609756

Amended Report

Reg#:

Dept. of Justice / Federal Bureau of Prisons

E [REDACTED], R [REDACTED]

Institution: TALLAHASSEE FCI

Incident Report Number: 3609756

NAME OF INMATE: R [REDACTED], R [REDACTED]

REG.NO.: [REDACTED]

UNIT: A UNIT

Date of Incident Report: 03-24-2022

Offense Code(s): 224

Date of Incident: 03-24-2022

Summary of Charges:

224 -- ASSAULTING W/O SERIOUS INJURY.

I. NOTICE OF CHARGE(S)

A. Advanced written notice of charge (copy of Incident Report) was given to inmate on 01-15-2023 at 1735 hrs (by staff member) J. AYALA

B. The DHO Hearing was held on 01-28-2023 at 1040 hrs

C. The inmate was advised of the rights before the DHO by (staff member):
E. Groover on 01-26-2023

and a copy of the advisement of rights form is attached.

D. Delay in Process WRX ordered a new hearing and investigation after the inmate won her appeal.

II. STAFF REPRESENTATIVE

A. Inmate waived right to staff representative: [Yes] X [No] _____

B. Inmate requested staff representative and _____ appeared.

C. Staff Representative's Statement:

N/A

D. Requested staff representative declined or could not appear but inmate was advised of option to postpone hearing to obtain another staff representative with the result that:

NA

E. Staff representative NA was appointed.

III. PRESENTATION OF EVIDENCE

A. Inmate () admits (X) denies the charge(s).

B. Summary of Inmate Statement:

No comments

I had hearing January 2023 - report not provided until December 2023. I am being retaliated against for speaking against sexual abuse. R7

12/17/23



BP-A0304

DISCIPLINE HEARING OFFICER REPORT

IR#: 3609756

Amended Report

Reg#:

Dept. of Justice / Federal Bureau of Prisons

F [REDACTED] R [REDACTED]

C. Witnesses

1. The inmate waived right to witnesses. [Yes] [No] 2. The following persons were called as witness at this hearing and appeared
(Each witness name and statement listed below):

N/A

3. The following persons requested were not called for the reason(s) given
(Each witness name and statement listed below):

N/A

4. Unavailable witnesses were requested to submit written statements and
those statements received were considered (Each witness name and
statement listed below):

N/A

D. Documentary Evidence. In addition to the Incident Report and
Investigation, the DHO considered the following documents:**Incident Report - Staff Memorandums -- (BOP-IRMEM)****Incident Report - FBI Declination Notification -- (BOP-IRFBI)**E. Confidential information was used by DHO in support of his findings, but
was not revealed to the inmate. The confidential information was documented
in a separate report. The confidential information has been (confidential
informants have been) determined to be reliable because:

NA

IV. FINDINGS OF THE DHO

- A. The act was committed as charged. C. No prohibited act was committed:
- B. The following act was commmitted: Expunge according to inmate discipline PS.

V. SPECIFIC EVIDENCE RELIED ON TO SUPPORT FINDINGS (Physical evidence, observations
written documents, etc.)

The Discipline Hearing Officer (DHO) advised the inmate of her due process rights at the DHO hearing. You stated you understood your rights and had no documentary evidence to present to DHO. You have waived your rights to have witnessed before the DHO hearing. You have waived your rights to have a staff representative before the DHO hearing to assist you prepare your defense. You have been afforded due process and ample time to prepare a defense before the discipline hearing. You stated you were ready to proceed.

The DHO consider the reporting staff J. McMillan statement on section 11 of the incident report "On March 24, 2022, at approximately 11:15 am, I called inmate R [REDACTED] F [REDACTED], [REDACTED], into the A-unit Counselor's office to counsel her regarding her current FRP contract. Inmate F [REDACTED] requested a copy of the signed FRP contract, at which time I began to ask Counselor Foor whether or not the copier was operational. Inmate F [REDACTED] attempted to verbally cut me off, and I advised her that I was addressing Counselor Foor"



BP-A0304

DISCIPLINE HEARING OFFICER REPORT

IR# 3609756

Amended Report

Reg#: [REDACTED]

Dept. of Justice / Federal Bureau of Prisons [REDACTED]
[REDACTED] E [REDACTED], R

VIII. APPEAL RIGHTS: The inmate has been advised of the findings, specific evidence relied on, action and reasons for the action. The inmate has been advised of his right to appeal this action within 20 calendar days under the Administrative Remedy Procedure. A copy of this report has been given to the inmate.

IX. Discipline Hearing Officer

Printed Name	Signature	Date
Martinez	Martinez	11-29-2023

DHO Report Delivered to Inmate by:

H. MartinezH. Martinez11-29-2023 0800 hrs

Printed Name of Staff

Signature of Staff

Date & Time Delivered

The Government Paperwork Elimination Act (GPEA) of 1998 authorized Federal Agencies the use of electronic forms, electronic filing, and electronic signatures to conduct office business.



BP-A0304

DISCIPLINE HEARING OFFICER REPORT

IR#: 3609756

Amended Report

Reg#:

Dept. of Justice / Federal Bureau of Prisons

and not her. Counselor Foor advised me that the copier was still out of service. Inmate F [REDACTED] stated that I was harassing her and that she would file a grievance on me for doing so. At that time, I directed inmate F [REDACTED] to step out of the office and into the hallway so that I could make a copy of the contract on my scanner located in my office. As I was escorting inmate F [REDACTED] out of the Counselor's office, she turned around briskly and attempted to walk back into the office to get a BP-8, therein running into me. I advised inmate F [REDACTED] two times more to step out into the office and into the hallway so that I could make the copy she requested. At the third order she complied. I then stepped down the hallway to my office and made the copy and provided it to inmate F [REDACTED]. The Operations Lieutenant was notified and authorized me to write this report."

The DHO consider the staff memorandum of Counselor R. Foor "On March 24, 2022, at approximately 1120 I was in the A unit Counselor's office with Case Manager McMillan. Inmate F [REDACTED] was at the entrance door to the office. Inmate F [REDACTED] became agitated regarding a conversation between her and Case Manager McMillan. Case Manager McMillan told inmate F [REDACTED] that she would provide her a copy of her FRP form and to wait in the hallway. F [REDACTED] stated that she was going to write her up for harassment. F [REDACTED] entered the office to retrieve a BP-9. Case Manager McMillan was near the entrance door and directed F [REDACTED] to stop and wait in the hallway instead of trying to go around her as the entrance was narrow due to boxes located by the copier. After two orders F [REDACTED] complied and went to the A unit lobby area. I did not witness any physical contact between Case Manager McMillan and inmate F [REDACTED] nor did F [REDACTED] make any accusations of such immediately afterwards."

The DHO consider the FBI declination letter.

The DHO consider the IDC investigator Lieutenant J. Ayala comments and conclusions of the incident " Based on the body of the report, the inmates' statement, and the supporting evidence, it is this investigators conclusion that the incident report is NOT warranted. Specifically, the witness statements do not support the body of the incident report. The statements of the writer in the body of the incident report do not support a code 224. Additionally, this incident report does not support a lesser charge of insolence since there are also no quotes to support a charge of insolence. Staff are instructed to "ask, tell, order". This is what the staff member did and as stated in the body of the incident report the inmate complied with the order. The incident report has been referred to the UDC with a recommendation to EXPUNGE the incident report."

VI. SANCTION OR ACTION TAKEN

None

VII. REASON FOR SANCTION OR ACTION TAKEN

After reviewing all the evidence and taking into consideration the findings of Lieutenant J. Ayala, the IDC investigator, the DHO has concluded that you did not commit the prohibited act of assault without serious injury, which is classified under code 224.

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

FROM: Goodwill, Michael

TO: 20446009

SUBJECT: Former Correctional Officer Sentenced to 63 Months for Sexual Abuse of Two Female Inmates

DATE: 12/11/2023 05:36:05 PM

Friday, December 1, 2023

A former federal correctional officer was sentenced today to 63 months in prison, followed by five years of supervised release, and a \$25,000 special assessment for his sexually abusive conduct against two female victims who were serving prison sentences at Federal Correctional Institution (FCI) Dublin. The sentence was handed down by U.S. District Judge Yvonne Gonzalez Rogers.

John Bellhouse, 40, formerly of Pleasanton, California, was initially charged with sexual abuse of an inmate on Feb. 17, 2022. A federal grand jury issued a superseding indictment on Sept. 29, 2022, charging Bellhouse with two counts of sexual abuse of a ward and three counts of abusive sexual contact that occurred between December 2019 and December 2020. A jury convicted Bellhouse of all counts.

"John Bellhouse exploited his position of trust at the Federal Bureau of Prisons by sexually abusing multiple women in his custody and today he has been held to account," said Deputy Attorney General Lisa O. Monaco. "The sentence of imprisonment imposed today is the latest example of the Justice Department's continuing work to address the egregious misconduct that took place at FCI Dublin and prioritize the eradication of sexual assault from our prison system."

"While today's sentencing cannot undo the horrific abuse that Bellhouse's victims endured, it sends a clear message that FBOP employees who abuse inmates in their custody and care will be brought to justice. Our investigation of sexual abuse at FCI Dublin remains ongoing, and we will continue to aggressively pursue justice for victims of sexual abuse at the hands of FBOP employees," said Inspector General Michael E. Horowitz.

"The horrendous sexual abuse committed by convicted offender John Bellhouse is cruel and despicable," said FBI Deputy Director Paul Abbate. "As a federal corrections officer, Bellhouse sexually abused inmates under his care and attempted to cover-up his crimes. These violations are inexcusable breaches of the trust and authority granted to government officials. This sentencing is a reminder that the FBI and our partners will relentlessly pursue those who physically harm others and hold them accountable."

"This conduct was a disturbing deviation from the expectations and requirements of all federal correctional officers," said U.S. Attorney Ismail J. Ramsey for the Northern District of California. "Bellhouse violated his oath and abused the power given to him, all to victimize the people he was supposed to protect. This sentence makes clear that the sexual abuse of inmates by guards will not be tolerated."

Bellhouse was employed as a correctional officer at the FCI Dublin, California, an all-female low security federal correctional institution. Trial evidence showed that, beginning December 2019 through October 2020, Bellhouse sexually abused and committed abusive sexual contact against a victim incarcerated and serving a prison sentence at FCI Dublin under Bellhouse's custodial, supervisory, and disciplinary authority. Bellhouse engaged in oral sex with the victim in the prison Safety Warehouse and Safety Office and touched the victim's vagina and breasts in the prison Safety Office.

Evidence presented at trial also demonstrated Bellhouse committed abusive sexual contact against a second victim between October and December of 2020. Trial evidence showed that the acts occurred in the Safety Office at the FCI Dublin Camp.

The trial evidence further showed that Bellhouse sexually abused another inmate in 2020 and 2021 when he reached through a window in her cell and grabbed her breast, and on another occasion put his finger in her vagina without her consent while she was in her cell after showering.

In a memorandum filed in connection with Bellhouse's sentencing, the government provided additional information regarding Bellhouse's criminal conduct while he was a correctional officer. In the memorandum, the government argued that in addition to the three women who testified at trial about Bellhouse's sexual abuse of them, Bellhouse also abused other women. Further, the government's memorandum describes how Bellhouse used his ability to access everyday items such as Starbucks coffee, yarn, jewelry, and cleaning supplies, to get his victims both to acquiesce in the abuse and to keep them quiet about his conduct. For example, according to the memorandum, Bellhouse would provide items to coax compliance with his demands. Because these items were considered contraband at FCI Dublin, mere possession of them exposed inmates to potential punishments such as solitary confinement and loss of good time credits.

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] [REDACTED] - Unit: DUB-F-A

Bellhouse was convicted of two counts of sexual abuse of a ward and three counts of abusive sexual conduct. Bellhouse must surrender by Feb. 2, 2024. His restitution hearing is set for Feb. 1, 2024, at 2 p.m. ET / 5 p.m. ET.

The Justice Department's Office of Inspector General and the FBI investigated the case.

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

FROM: Gilna, Derek
TO: 20446009
SUBJECT: Federal Legal News 12-11-23
DATE: 12/11/2023 04:21:09 PM

United States Sentencing Commission Will Announce 2024 Proposed Amendments to the Guidelines this Thursday: COVID is Back, Especially in Prisons; Supreme Court Hears Case that could Undermine Bureau Rules that Violate FSA Law; Mixed Reviews on MAT Program; Probable Impact of Central Office Visits to Prisons; Circuit Update

By Derek Gilna, Director of Research

The long-anticipated public meeting of the USSC will be this Thursday. According to the Commission, one of the items on the agenda is a "Possible Vote to Publish Proposed Guideline Amendments and Issues for Comment." In the past, the Commission has published those proposed Guidelines at its December meeting, and it will no doubt happen again. ACCA, Career Offender and other significant issues are likely to be addressed. Historically, the proposed Guidelines pass with only minor changes.

COVID is back, both in the general public, but especially in prison. Dozens of prisons have reported that hundreds of people have been infected, with upper-respiratory-like symptoms, including shortness of breath, so the medically-insecure are at risk if untreated. Just in time for the newest batch of compassionate release petitions: "Covid-19 test positivity rates increased over the summer and then stabilized earlier this fall. They have recently ticked back up, rising 1.2% for the latest week, according to the CDC's most recent data. Emergency department visits and hospitalizations are up about 10% during the same period. Scientists and public-health officials say that data understates the virus spread and point to elevated levels of the virus detected in wastewater. Wastewater levels are an early warning for infections, with levels up nationally since mid-October." https://wallstreetjournal-ny.newsmemory.com/?publink=1aa5408f3_134ae4b

A new publication in "Science," provides additional data to support CR petitions: "U.S. prisons were especially susceptible to COVID-19 infection and death; however, data limitations have precluded a national accounting of prison mortality (including but not limited to COVID-19 mortality) during the pandemic. We find that total mortality increased by 77% in 2020 relative to 2019, corresponding to 3.4 times the mortality increase in the general population, and that mortality in prisons increased across all age groups (49 and under, 50 to 64, and 65 and older). COVID-19 was the primary driver for increases in mortality due to natural causes; some states also experienced substantial increases due to unnatural causes. These findings provide critical information about the pandemic's toll on some of the country's most vulnerable individuals while underscoring the need for data transparency and standardized reporting in carceral settings." That, of course, will never happen in the Bureau, which is allergic to transparency. <https://www.science.org/doi/10.1126/sciadv.adj8104>

From an East coast women's prison: "I have a family member in (prisons). She was able to call home yesterday to inform me that she would lose communication with us via phone and email due to a Covid outbreak. The jail doesn't want them communicating with family to inform us what's going on. On Tuesday or Wednesday night an inmate was rushed to the hospital with COVID like symptoms. Before that fellow inmates had shown symptoms, yet visitations and mingling occurred for all inmates. Wednesday they finally began testing and more than 20 inmates tested positive. Those said inmates were then removed from population and all placed in the visiting room to be housed."

Why should you care about a new case currently pending before the U.S. Supreme Court that doesn't even directly mention criminal justice issues? Much of the nonsense regarding RDAP eligibility, PATTERN scores, mis-administration of First Step Act programs and ETCs, not to mention Second Chance Act placements is based on dubious authority coming from one source: misuse of an administrative agency-like the Bureau- ability to make rules and procedures that water down or contradict laws duly passed by Congress, or deny basic constitutional rights.

The case in question, Securities and Exchange Commission v. Jarkey, challenges the authority of the administrative state. The defendant was fined over half-a-million dollars by the SEC for allegedly defrauding investors and appealed this sentence by arguing that the SEC does not have the constitutional authority to do this. He argued that: (1) The SEC is violating the Seventh Amendment, which guarantees a trial by jury; (2) the SEC doesn't have the authority to adjudicate these matters since it's an executive agency, not a federal court; and (3) the SEC judges are unfairly protected from serious political and legal accountability. All these arguments add up to condemn the administrative state as a whole, which "is effectively rigged against virtually every defendant that goes before an ALJ [administrative law judge]." Definitely applicable to the Bureau's administrative remedy process, which is designed to confuse, frustrate, and wear you down.

The segment on the MAT program got many responses, and one (unverified) suggestion. Most complained that even if they come into the federal system with a clinically (doctor)-identified substance abuse disorder, you are not permitted to join the program until shortly before your sentence is completed. This, of course, leaves open the question how you cope with the veritable supermarket of illegal drugs available in many institutions.

"I am currently in the M.A.T. program and I am here to tell you it has literally saved my life. Unfortunately, others are not able to say the same. The unwritten policy says that inmates will be assessed for M.A.T. treatment about 9 months prior to release. I have many friends in the Bureau that have an opioid disorder and when they attempt to submit a request [from 10/19/23]

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

M.A.T. program they all receive the same response, 'You will be evaluated when you are closer to your release date.' That answer does inmates no good when they are faced with a life-threatening addiction via overdose by fentanyl.

"Oh, by the way, the magic phase to avoid Vivitrol injections and instead receive Suboxone therapy is: 'I have a fentanyl problem.' Vivitrol does not work for fentanyl addiction. Most inmates do not know this and the (Bureau) will try to push Vivitrol on anyone they can."

It is clear that the Director and her subordinates are busily visiting multiple institutions, sometime speaking to prisoners, and sometimes not. I'm not sure that this will accomplish much in the short run, but keep in mind that she comes to the Bureau from outside the federal system, and is an experienced prison administrator. However, those that think, "If she just finds out about THIS (injustice)," things will be better." This is not how the system works. The entrenched bureaucracy, the same people who have mismanaged the Bureau for decades, will be hard to dislodge. However, you have to start somewhere. US Senators appear to be the best destination for whistle-blowers, especially those involving cases of criminal conduct or misuse of federal funds.

In the circuits, in the case of US v. Vanholten, 12-cr-96, (USDC MD FL, Jacksonville, 12-2-23) "Mr. Vanholten is serving a life sentence for trafficking cocaine, in essence, because he sold two dime bags of marijuana, \$20 worth, to two undercover police officers when he was nineteen years old. In the intervening years, Congress modified the list of prior offenses qualifying defendants for Section 851 enhancements offenses qualifying defendants for § 851 enhancements. See First Step Act, 115 Pub. L. No. 391, § 401, 132 Stat. 5194, 5220 (2018). The U.S. Sentencing Commission ("Commission") also submitted to Congress an amendment to the policy statement regarding compassionate release in the U.S. Sentencing Guidelines which became effective November 1, 2023. See Sentencing Guidelines for U.S. Courts, 88 Fed. Reg. 28,254 28,259 (May 3, 2023); U.S. Sent'g Guidelines Manual ("U.S.S.G.") § 1B1.13 (U.S. Sent'g Comm'n, amended 2023). In 2022, Mr. Vanholten, 47, moved pro se for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A), citing his sarcoidosis, a chronic condition characterized by inflammation in the lungs and other organs, as justification. (Doc. 83.) The Government opposed his initial motion."

Vanholten was enhanced after he refused to cooperate. However, "Under the Sentencing Guidelines, "[a] defendant's refusal to assist authorities in the investigation of other persons may not be considered as an aggravating sentencing factor." U.S.S.G. § 5K1.2. So for the purposes of § 3553(a), the disparity in this case is unjustified." The disparity becomes even more stark considering the law today. Mr. Vanholten would not face a mandatory minimum life term under current law. The First Step Act modified § 841(b)(1)(A) so only a prior "serious drug felony, 'for which a defendant 'served a term of imprisonment of more than 12 months,' can trigger a recidivism enhancement, so the marijuana offense would not qualify. 115 Pub. L. No. 391, § 401(a)(2), 132 Stat. 5220. The Act further reduced the enhanced mandatory minimum to fifteen years for a defendant with one prior serious drug felony conviction. Id. If sentenced today with the recidivism enhancement, Mr. Vanholten would face a mandatory minimum sentence of fifteen years. (Doc. 85, p. 9.) So Mr. Vanholten received a sentence at least twenty years longer than the fifteen-year minimum Congress now deems warranted for offenders like him. See 115 Pub. L. No. 391, § 401, 132 Stat. 5220." The court reduced the Coleman prisoner's sentence to time-served citing that he was unlikely to receive proper medical treatment at the prison.

Out of room! If you haven't already done so, make sure your loved ones subscribe to the newsletter to avoid censorship and protect your access to this source of information.

Be not afraid and let not your heart be troubled.

Derek Gilna, Director of Research, JD, (De Paul Law School, 1975), MARJ, (Master of Restorative Justice), (Vermont Law School, 2020), Federal Legal Center, 133 W. Market, #171, Indianapolis, IN 46204; dgilna1948@yahoo.com (English newsletter and ALL inquiries, English or Spanish); federallc_esp@yahoo.com, Spanish newsletter, but NO inquiries. (This Newsletter is for Information Only and Does Not Constitute Legal Advice.)

**Department of Prisons
Health Services
Inmate Report Only (formerly labeled ISDS)**

Reg #: [REDACTED]

Inmate Name: F [REDACTED], R [REDACTED]

SENSITIVE BUT UNCLASSIFIED – This information is confidential and must be appropriately safeguarded.

TB Clearance: Yes

Last PPD Date: 04/04/2022

Induration: 0mm

Last Chest X-Ray Date: [REDACTED]

Results: [REDACTED]

TB Treatment: [REDACTED]

Sx free for 30 days: Yes

TB Follow-up Recommended: No

Transfer To: Home Confinement (Houston, TX)

Transfer Date: 11/01/2022

Health Problems

Status

Health Problem

Anemia, unspecified

Current

Vitamin D deficiency

Current

Hyperlipidemia, unspecified

Current

Disorder of lacrimal system

Current

Unspecified disorder of conjunctiva

Current

keratoconjunctivitis sicca

Presbyopia

Current

Asthma

Current

Psoriasis, unspecified

Current

Cervical disc disorder, unsp, unspecified cervical region

Current

Sciatica, unspecified side

Current

left

No Diagnosis

Current

Chronic cough

Current

Prediabetes

Current

Adjustment Disorders: With Mixed Anxiety and Depressed Mood

Remission

Post COVID-19 condition, unspecified

Remission

Bariatric surgery status

Remission

2003, resulting loss >50% body weight and resolution HTN and diabetes.

Body mass index (BMI) 35.0-35.9, adult

Remission

Medications: All medications to be continued until evaluated by a physician unless otherwise indicated. Bolded drugs required for transport.

Albuterol Inhaler HFA (8.5 GM) 90 MCG/ACT Exp: 01/10/2023 SIG: Don't use daily. Inhale 2 puffs by mouth 4 times a day as needed to prevent/relieve asthma attack (inhaler to last 90 days. If need more, make sick call)

Atorvastatin 40 MG TAB Exp: 01/28/2023 SIG: Take one tablet (40 MG) by mouth at bedtime

cycloSPORINE Emulsion 0.05% Ophth(0.4ml) 30count Exp: 02/14/2023 SIG: Instill one drop into both eyes twice daily AS NEEDED . only #1 box per month

Cholecalciferol (Vit D) 1000 UNIT (25Mcg) Tab Exp: 01/10/2023 SIG: Take one tablet by mouth each day (vitamin D)

Cyanocobalamin (Vit B-12) 1000 MCG Tab Exp: 01/10/2023 SIG: Take one tablet (1000 MCG) by mouth each day (vitamin B12)

DULoxetine HCl Delayed Rel 30 MG Cap Exp: 02/20/2023 SIG: Take one capsule (30 MG) by mouth each day

Ferrous Gluconate 324 (5 GR) MG Tab Exp: 01/10/2023 SIG: Take one tablet by mouth daily

Naproxen 500 MG Tab Exp: 10/30/2022 SIG: Take one tablet (500 MG) by mouth twice daily AS NEEDED with food only #30 per month

predniSONE 20 MG Tab Exp: 08/29/2022 SIG: Take two tablets (40 MG) by mouth each day with food for 5 days

OTCs: Listing of all known OTCs this inmate is currently taking.

EX-A-2

None

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

FROM: Goodwill, Michael

TO: 20446009

SUBJECT: Former Private Prisoner Transport Officer Pleads Guilty to Federal Civil Rights Offense and Admits to Sexually Assaulting Multi

DATE: 12/11/2023 05:36:05 PM

Monday, December 4, 2023 A former private prisoner transport officer, Marquet Johnson, 44, pleaded guilty today to violating the civil rights of multiple female pretrial detainees by sexually assaulting them during prisoner transports.

"Sexual assaults carried out by law enforcement officials at any stage of the criminal justice process, including in the transport of detainees held in custody, have no place in our society," said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division. "This egregious conduct violates federal civil rights law, and the Justice Department will continue to resolutely seek justice for the survivors of these heinous crimes."

"Every person has a basic right to dignity and respect," said U.S. Attorney Alexander M.M. Uballez for the District of New Mexico. "And nobody, no matter the crime of which they are being accused, deserves to be raped. When jailers fail their duty to those in their charge, they will join them in custody."

"Law enforcement officers and other officials receive certain powers from the government so they can defend the rights of the people and prevent wrongdoing," said Special Agent in Charge Raul Bujanda of the FBI Albuquerque Field Office. "When individuals working in an official capacity violate the trust of their communities by abusing that power, they undermine the hard work of all officials. The despicable actions perpetuated by Johnson, against those he was entrusted to protect, have no place in society. When you break the trust, you're given as a member of law enforcement and ultimately break the law, there are consequences. Today's plea is a resounding reminder that the FBI is committed to restoring trust in law enforcement by holding those who abuse their privileges and abandon their responsibilities accountable. I commend the hard work of our agents, our law enforcement partners with the Bernalillo County Sheriff's Office and the U.S Attorney's Office for the District of New Mexico with helping to bring justice to the victims in this case and holding Johnson to account for his crimes."

According to the plea agreement, at the time of the offense, Johnson worked as a prisoner transport officer for Inmate Services Corporation (ISC). As a prisoner transport officer, Johnson performed the government function of picking up individuals who were arrested on out-of-state warrants and transporting those individuals back to the jurisdictions that issued the warrants. On Nov. 4, 2019, Johnson and his transport partner picked up the victim, a female pretrial detainee, from a jail in Santa Fe, New Mexico, to transport her to Delta County, Colorado.

That same day, while still in New Mexico, Johnson's transport partner stopped the transport van at a gas station. As soon as Johnson's transport partner walked away from the van, Johnson ordered the victim to move to the bench row in the back of the transport van, climbed into the back of the van, removed the victim's ankle restraints and loosened her handcuffs. The victim told Johnson that she was unsure what was going on but said that she did not want "to do this." In response, Johnson pulled out a dangerous weapon, and, resting the weapon on his lap, told the victim that he wanted her to cooperate with him, "otherwise, it was going to get ugly."

Johnson then ordered the victim to partially remove her clothing and lay down on her back. The victim did so but again told Johnson she did not want to do this. In response, Johnson held the weapon against the victim's cheek while raping her. Johnson admitted that the victim did not consent to any of the sexual conduct, and his conduct included the use of a dangerous weapon and aggravated sexual abuse.

Johnson further admitted that this was not the first female pretrial detainee he sexually assaulted during an ISC prisoner transport. Johnson admitted that in July 2019, he transported another female pretrial detainee from Spencer, Indiana to San Marcos, Texas.. While en route to Texas, during a stop at ISC headquarters in West Memphis, Arkansas, Johnson forced the detainee to perform oral sex on him. Johnson admitted that this victim also did not consent to any of the sexual conduct and that his misconduct included aggravated sexual abuse.

Finally, Johnson admitted that in August 2019, he transported yet another female pretrial detainee from Baker County, Oregon to Warrensburg, Missouri. While in Missouri, Johnson stopped the transport van at a hotel, where he raped her. A short time later Johnson brought the female detainee back outside to the transport van and, after resuming the transport, forced the female detainee to perform oral sex on him. Johnson admitted that this victim also did not consent to any of the sexual conduct and that his misconduct included aggravated sexual abuse and kidnapping.

A sentencing hearing will be set on a later date. Pursuant to the plea agreement, Johnson faces a maximum penalty of 10 years

This is one of
many stories nationwide
of women in custody
being forced to
have sex.

(27)

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TRULINCS[®] 20446009 - FLEMING, RHONDA ANN - Unit: DUB-F-A

in prison, to be followed by up to five years of supervised release. In addition, Johnson must pay restitution and, upon release, adhere to state and federal sex offender registration requirements.

The FBI Albuquerque Field Office investigated the case, with assistance from the Bernalillo County Sheriff's Office.

TRULINCS [REDACTED] - F [REDACTED], R [REDACTED] - Unit: DUB-F-A

FROM: 20446009
TO: Associate Warden of Programs
SUBJECT: ***Request to Staff*** F [REDACTED], R [REDACTED], Reg# [REDACTED], DUB-F-A
DATE: 09/28/2023 09:10:40 AM

To: AW Deveney
Inmate Work Assignment: yard

Sir,

I have spoke to you about this situation with the shower curtains. The majority of officers at this prison are men. This matter is being litigated in the courts, but is a court order necessary to install shower curtains that protect against male officers seeing women naked in the showers?

R [REDACTED] E [REDACTED]
-----F [REDACTED], R [REDACTED] on 9/28/2023 9:08 AM wrote:

>

Ms. Smith,

as you know, I reported to you and Ms. Groover, over 6 months ago, the situation with the shower curtains. I would like to know why no action has been taken by you or AW Deveney about this matter?

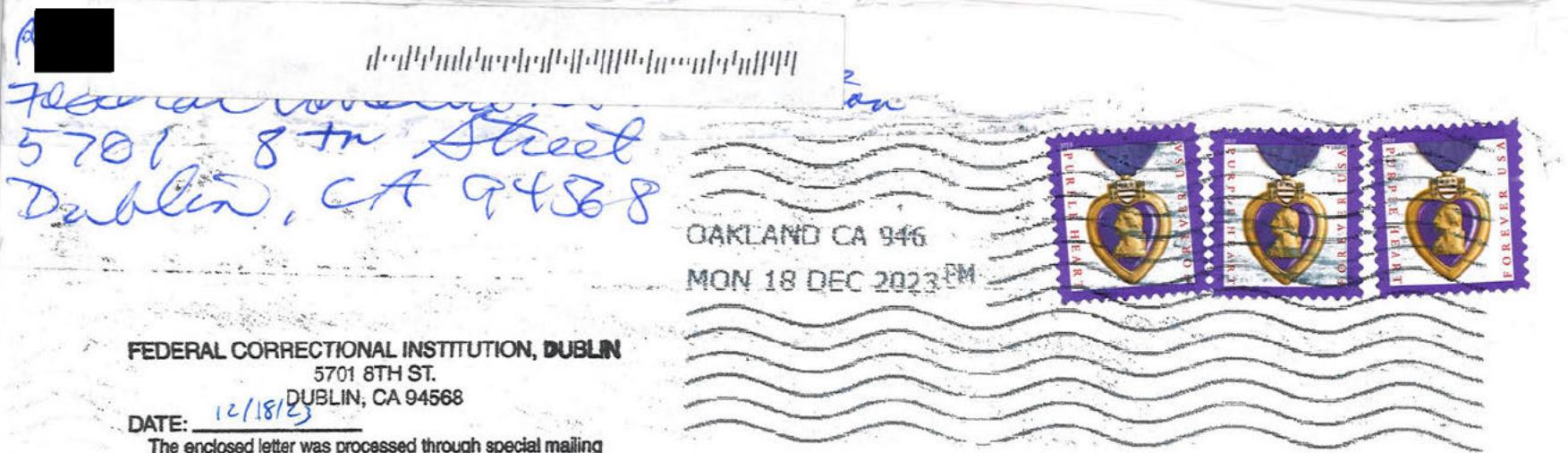
There have been numerous incidents about the male officers being able to see women naked in the showers. Why would the prison not put a stop to this disrespect to women?

Also, in your next Town Hall, I would appreciate you instructing inmates not to be standing behind inmates on the computers, while they email. This is a constant problem. If inmates are waiting for the computers, they need to stand against the wall, at least 8 feet away from the computers. The screens placed on the computers do not provide any privacy.

Thank You,

R [REDACTED] F [REDACTED]

12/15/23
shower curtain was changed and
AW Nash took pictures. The
shower curtain rod is the
problem. Anyone passing by
can still see women naked
in the shower.



⇒20446-009⇒
Kara Janssen
Rosen, Bien, Galvan & Gru
101 Mission ST
Sixth Floor
SAN Francisco, CA 94105
United States

RECEIVED
DEC 20 2023
Rosen, Bien, Galvan & Gru

Regal Mail